

**MINUTES  
REGULAR BOARD MEETING  
Friday, June 6, 2014  
209 South Green Street  
Glasgow, KY**

**PRESENT:** Mark Woodward, D.C., President  
Frank Hideg, D.C., Vice President  
Rodney Casada, D.C., Member  
Michael Seibert, D.C., Member  
Karalee P. Oldenkamp, D.C., Executive Director  
Ryan Halloran, Assistant Attorney General  
M. Keith Poynter

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:10 a.m. prevailing time.

**ITEM I: MINUTES**

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to approve the minutes of the June 6, 2014 special board meeting.

**ITEM II: FINANCIAL REPORTS**

After review of the prepared financial reports for March, April and May 2014, upon motion made by Dr. Casada, seconded by Dr. Seibert and passed 4-0, the financial reports were approved as presented.

**ITEM III: BOARD OFFICE REPORT**

The Board reviewed the Board Office Report and a motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to accept the Board Office report. The Peer Review Continuing Education course hosted by the Peer Review Committee was reviewed. The Board felt it was helpful and appropriate and has requested that the PRC host the 2015 Kentucky Peer Review course as well.

**ITEM IV: MOTION TO AMEND AGENDA**

A motion was made by Dr. Hideg, seconded by Dr. Casada and passed 4-0 to amend the agenda to allow Mr. Fox DeMoisey, attorney representing David Megronigle, D.C., to address the Board concerning agenda item 11-009 Agree Order Violation.

**ITEM V: CLOSED SESSION TO DISCUSS ADMINISTRATIVE CASE 11-009**

A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to enter closed session pursuant to KRS 81.610 (1)(j) to discuss administrative case 11-009. A second motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to go into open session. Upon review of the information available, a motion was made by Dr. Casada, seconded by Dr. Hideg and passed 3-0 to accept the Findings of Fact, Conclusions of Law and Recommended Order. Dr. Seibert abstained.

**ITEM VI: MOTION TO RESUME AGENDA**

A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to resume the agenda.

ITEM VII: ADMINISTRATIVE CASE 12-016

Attorney Chris Lewis was present and spoke on behalf of the licensee. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to go into closed session to discuss administrative case 12-016 pursuant to KRS 61.810 (1)(j). A second motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to come into open session. Upon review of the information available and presented, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to continue the case for review by the Board's new General Counsel. Dr. Hideg abstained.

ITEM VIII: ADMINISTRATIVE CASE 12-021

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to dismiss this case.

ITEM IX: ADMINISTRATIVE CASE 12-022

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to dismiss this case.

ITEM X: ADMINISTRATIVE CASE 12-029

This case is continued pending outcome of the criminal case which has been rescheduled.

ITEM XI: ADMINISTRATIVE CASE 12-030

A Settlement Agreement was offered in this case. Upon review by the Board, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to accept the Settlement Agreement and close this case.

ITEM XII: ADMINISTRATIVE CASE 12-031

This case is continued pending further investigation.

ITEM XIII: ADMINISTRATIVE CASE 12-032

A motion was made by Dr. Casada, seconded by Dr. Woodward and passed 4-0 to authorize counsel to represent the Board until this case is finalized by the courts. A second motion was made by Dr. Casada, seconded by Dr. Woodward and passed 4-0 to renew or establish a new contract with Justice John Graves, which shall include necessary travel, so he may continue to represent the Board in this case.

ITEM XIV: ADMINISTRATIVE CASE 12-038

This case is ongoing.

ITEM XV: ADMINISTRATIVE CASES 13-001, -005, -017, 12A-008

This case is continued with a hearing date set.

ITEM XVI: ADMINISTRATIVE CASE 13-004

The Board reviewed a proposed settlement agreement. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to accept the settlement offer and close the case. A cover letter shall accompany the signed order to issue the suspension and make it clear that the licensee may not own or operate a practice during the suspension.

ITEM XVII: ADMINISTRATIVE CASE 13-009

This case is continued.

ITEM XVIII: ADMINISTRATIVE CASE 13-013

The Board reviewed a proposed settlement agreement. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to accept the settlement offer and close the case.

ITEM XIX: ADMINISTRATIVE CASE 13-024

Upon review of the case, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to offer an agreed order for settlement of this case. The licensee shall have thirty days to accept or respond, after which if no response is received, an administrative complaint shall be filed.

ITEM XX: ADMINISTRATIVE CASE 13-026

This case is continued pending the receipt of additional information.

ITEM XXI: ADMINISTRATIVE CASE 13-028

The Board reviewed the information available and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 3-0 to issue an emergency suspension if necessary and file a complaint and notice of hearing for violations of KRS 312 and 201 KAR Chapter 21. Dr. Hideg did not vote.

ITEM XXII: ADMINISTRATIVE CASE 14-001 APPEAL

The Board reconsidered this case and the additional information submitted. A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to dismiss this case.

ITEM XXIII: ADVERTISING CASE 13A-006

The Board reviewed the administrative complaint which had been drafted and a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 3-0 to file the complaint and notice of hearing. Dr. Casada recused from the vote.

ITEM XXIV: ADVERTISING CASE 14A-002

This case is continued.

ITEM XXV: REVIEW INFORMATION CONCERNING CHIRO ONE OFFICES

No Board action was necessary.

ITEM XXVI: ADMINISTRATIVE CASE 14-002

The Board reviewed the complaint and the licensee's response. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to dismiss the case.

ITEM XXVII: ADMINISTRATIVE CASE 14-003

The Board reviewed the complaint and the licensee's response. A motion was made by Dr. Hideg, seconded by Dr. Casada and passed 4-0 to dismiss the case.

ITEM XXVIII: ADMINISTRATIVE CASE 14-004

This case is continued.

ITEM XXIX: ADMINISTRATIVE CASE 14-006

The Board reviewed this case and a motion was made by Dr. Seibert, seconded by Dr. Woodward and passed 3-0 to offer an agreed order for settlement of this case. Dr. Casada recused.

ITEM XXX: ADMINISTRATIVE CASE 14-007  
No Board action was required at this time.

ITEM XXXI: ADVERTISING CASE 14A-003  
The Board reviewed this case and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to offer an agreed order for settlement of this case.

ITEM XXXII: ADVERTISING CASE 14A-004  
The Board reviewed this case and a motion was made by Dr. Hideg, seconded by Dr. Casada and passed 4-0 to allow the licensee 60 days to come into compliance since this was his first notice of violation. This complaint shall be dismissed if corrected within the 60 days.

ITEM XXXIII: LICENSE ACTIVATION  
RE: B. GUETTER, D.C.  
The Board reviewed the activation application and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to activate Dr. Guetter's license.

ITEM XXXIV: CONSIDER INITIAL APPLICATION  
RE: JAYMOND CLARK, D.C.  
The Board reviewed the initial application and supporting correspondence for Jaymond Clark, D.C. A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to grant Dr. Clark a license.

ITEM XXXV: CONSIDER INITIAL APPLICATION  
RE: C. BOBIER, D.C.  
The Board reviewed the initial application and supporting correspondence for C. Bobier, D.C. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to grant Dr. Bobier a license.

ITEM XXXVI: CONSIDER INITIAL APPLICATION  
RE: JOHN WEBB, D.C.  
The Board reviewed the initial application and supporting correspondence for John Webb, D.C. A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to grant Dr. Webb a license.

ITEM XXXVII: REVIEW RENEWAL APPLICATION  
RE: MARK WALDEN, D.C.  
The Board reviewed the renewal application and supporting documents from Dr. Walden. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to renew Dr. Walden's license.

ITEM XXXVIII: REVIEW RENEWAL APPLICATION  
RE: CHEDRICK NEAL, D.C.  
The Board reviewed the renewal application and supporting documents from Dr. Neal. A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to renew Dr. Neal's license and issue a complaint number for this issue instructing Dr. Neal to forward documentation to the board office when this issue is completed.

ITEM XXXIX: CORRESPONDENCE FROM MICHAEL CLOVER, D.C.  
RE: AGREED ORDER EXTENSION

The Board reviewed a request from Dr. Clover regarding the need for an extension to complete his agreed order terms. Since the deadline was exceeded prior to request, a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to file a complaint and notice of hearing for violation of agreed order terms.

ITEM XL: CONSIDER INFORMATION FROM M. NEMASTIL, D.C.

The Board reviewed information from Michael Nemastil, D.C. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to initiate a complaint against T. Black, D.C. and send a letter to Dr. Black requesting a response within 20 days to be reviewed at the next meeting.

ITEM XLI: CONSIDER INFORMATION FROM K. ADAMS, D.C.

The Board reviewed information from Kurt Adams, D.C. A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to initiate a complaint against J. Rosum, D.C. and after obtaining all documentation from Dr. Adams, send a letter to Dr. Rosum requesting a response within 20 days which will be reviewed at the next meeting.

ITEM XLII: CONSIDER INFORMATION FROM J. MCCLELLAN, D.C.

The Board considered information from Dr. McClellan regarding Coventry and Dr. Boland, D.C. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to send a cease and desist letter to Dr. Boland and a second letter to Coventry regarding the issue.

ITEM XLIII: ADVERTISEMENTS TO REVIEW

The Board reviewed advertisements which had been either mailed in or obtained from the clipping service. An advertisement concerning Peripheral Neuropathy and an alternate degree was reviewed. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to issue a complaint and send the licensee a letter of notification requesting a response within 20 days. The information gathered will be reviewed at the next meeting.

ITEM XLIV: FIELD COORDINATOR REPORT

Dr. Hideg reported that he has had many successful field visits, with licensees in compliance and welcoming his visit. He continues to do as many visits as he is able between investigations.

ITEM XLV: CONSIDER CORRESPONDENCE FROM T. THOMAS, D.C.

Upon review of the correspondence from Dr. Thomas, a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to allow Dr. Thomas a hardship and the option to reinstate his license with payment of the renewal fee.

ITEM XLVI: CONSIDER INFORMATION RE: J. PITTMAN, D.C.

Upon review of information concerning continued returns for insufficient funds, a motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to revoke Dr. Pittman's license for non-renewal.

ITEM XLVII: CONSIDER INFORMATION RE: GRANGE INSURANCE

The Board considered information received from Grange Insurance regarding Dr. Mark Green, D.C. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to issue a complaint

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number and send Dr. Green a letter giving him 20 days to respond to the complaint. This complaint and response will be reviewed at the next meeting.

ITEM XLVIII: CORRESPONDENCE FROM JAMES HANLON, D.C.  
RE: AGREED ORDER EXTENSION

The Board reviewed a request from Dr. Hanlon regarding the need for an extension to complete his agreed order terms. Since the deadline has been exceeded prior to request, a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to file a complaint and notice of hearing for violation of agreed order terms.

ITEM XLIX: SET BOARD MEETING DATES

The Board set a future board meeting for Friday, November 7, 2014.

ITEM L: CONSIDERATION OF PEER REVIEW COMMITTEE

The Board reviewed the Peer Review Committee members' terms and a motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 4-0 to consider new PRC members and provide a plaque of recognition for any outgoing members. Appointment of new members will be discussed at the September 12, 2014 meeting.

ITEM LI: TRAVEL AND PER DIEM

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM LII: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Casada, seconded by Dr. Hideg and passed 4-0, the meeting was adjourned.

Respectfully submitted:



Karalee P. Oldenkamp, D.C.

Executive Director

ATTESTED:



Mark Woodward, D.C.

President